



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Order Filed on February 8, 2024

In re:

BLOCKFI INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 22-19361 (MBK)
(Jointly Administered under a Confirmed Plan²)

Hearing Date: January 16, 2024 @ 10:00
a.m. ET

**ORDER GRANTING WIND-DOWN DEBTORS' SEVENTH OMNIBUS
OBJECTION TO CLAIM NO. 7233 FILED BY JOHN W. VAN TUBERGEN JR.**

The relief set forth on the following pages, numbered two (2) through five (5) and Schedule

1 is ORDERED.

DATED: February 8, 2024

Honorable Michael B. Kaplan
United States Bankruptcy Judge

¹ The Wind-Down Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: BlockFi Inc. (0015); BlockFi Trading LLC. (2487); BlockFi Lending LLC (5017); BlockFi Wallet LLC (3231); BlockFi Ventures LLC (9937); BlockFi International Ltd. (N/A); BlockFi Investment Products LLC (2422); BlockFi Services, Inc. (5965) and BlockFi Lending II LLC (0154). The location of the Wind-Down Debtors' service address is c/o M3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

² On October 3, 2023, the Court entered an order confirming the Third Amended Joint Chapter 11 Plan of BlockFi Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Additional Technical Modifications) (the "Plan") [Docket No. 1609].

(Page 2)

Debtors: BLOCKFI INC., *et al.*

Case No. 22-19361 (MBK)

Caption of Order: ORDER SUSTAINING WIND-DOWN DEBTORS' SEVENTH OMNIBUS OBJECTION TO CLAIM NO. 7233 FILED BY JOHN W. VAN TUBERGEN JR.

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Upon consideration of the *Debtors' Seventh Omnibus Objection to Claim No. 7233* (the “Objection”)¹ and the *Response to Debtors' Seventh Omnibus Objection to Certain Claims on Behalf of Claimant John w. VanTubergen Jr.* (the “Response”) and the Court having jurisdiction to consider the Objection and Response and the relief requested therein pursuant to 28 U.S.C. § 157 and Standing Order 12-1 (Simandle, C.J.), *Standing Order of Reference to the Bankruptcy Court Under Title 11*, dated September 18, 2012; and consideration of the Objection and the Response and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Objection.

(Page 3)

Debtors: BLOCKFI INC., *et al.*

Case No. 22-19361 (MBK)

Caption of Order: ORDER SUSTAINING WIND-DOWN DEBTORS' SEVENTH OMNIBUS OBJECTION TO CLAIM NO. 7233 FILED BY JOHN W. VAN TUBERGEN JR.

proper notice of the Objection having been provided; and it appearing that no other or further notice need be provided; and it appearing that no other or further notice of the Objection need be provided; and the Response to the Objection having been overruled; and the Court having found and determined that the relief sought in the Objection is in the best interests of the Wind-Down Debtors, their respective estates and creditors, and all parties-in-interest; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon the Certification of Flori Marquez attached to the Objection; and the Court having held a hearing to consider the relief requested in the Objection; and upon the record of the Hearing; the record herein, and all of the proceedings had before the Court; and for the reasons set forth in the opinion docketed at Doc. No. 2120; and after due deliberation and sufficient cause appearing therefore,

IT IS HEREBY ORDERED THAT:

1. The Objection is SUSTAINED as set forth herein.
2. Claim No. 7233 is hereby deemed modified as indicated on **Schedule 1** attached hereto.
3. Kroll Restructuring Administration LLC (the "Claims and Noticing Agent") is hereby authorized to modify the Disputed Claim on the claims register maintained for the Wind-Down Debtors' Chapter 11 Cases.
4. The Wind-Down Debtors are authorized to take all steps necessary or appropriate to carry out the relief granted in this Order.
5. The terms, conditions, and provisions of this Order shall be immediately effective and enforceable upon its entry.

(Page 4)

Debtors: BLOCKFI INC., *et al.*

Case No. 22-19361 (MBK)

Caption of Order: ORDER SUSTAINING WIND-DOWN DEBTORS' SEVENTH OMNIBUS OBJECTION TO CLAIM NO. 7233 FILED BY JOHN W. VAN TUBERGEN JR.

6. Notwithstanding anything to the contrary in the Objection, this Order, or any findings announced at the hearing, nothing in the Objection, this Order, or announced at the hearing constitutes a finding under the federal securities laws as to whether crypto tokens or transactions involving crypto tokens are securities, and the right of the United States Securities and Exchange Commission to challenge transactions involving crypto tokens on any basis are expressly reserved.

7. Nothing contained in this Objection or any actions taken pursuant to any order granting the relief requested by this Objection is intended or should be construed as: (a) an admission as to the validity of any particular claim against the Wind-Down Debtors, (b) a waiver of the Wind-Down Debtors' rights to dispute any particular claim on any grounds, (c) a promise or requirement to pay any particular claim, (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by this Objection, (e) a request or authorization to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code, (f) a waiver or limitation of the Wind-Down Debtors' rights under the Bankruptcy Code or any other applicable law; or (g) a concession by the Wind-Down Debtors that any liens (contractual, common law, statutory, or otherwise) satisfied pursuant to the Objection are valid, and the Wind-Down Debtors expressly reserve their rights to contest the extent, validity, or perfection or seek avoidance of all such liens. If the Court grants the relief sought herein, any transfer made pursuant to the Court's Order is not intended and should not be construed as an admission as to the validity of any particular claim or a waiver of the Wind-Down Debtors' rights to subsequently dispute such claim.

(Page 5)

Debtors: BLOCKFI INC., *et al.*

Case No. 22-19361 (MBK)

Caption of Order: ORDER SUSTAINING WIND-DOWN DEBTORS' SEVENTH OMNIBUS OBJECTION TO CLAIM NO. 7233 FILED BY JOHN W. VAN TUBERGEN JR.

8. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Objection or is otherwise waived.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Schedule 1

Disputed Claim

Debtor: BlockFi Inc et al.

Relevant Case Numbers: BlockFi Inc. 22-19361; BlockFi Lending LLC 22-19365; BlockFi Wallet LLC 22-19366; BlockFi International Ltd. 22-19368
 Seventh Omnibus Objection

Legend: Basis for Objection

BR-NI	Claimant is not identifiable as a customer or counterparty of BlockFi	TOU	Claim includes amounts in violation of Terms of Use, including fraud or disabled account
BR - A	Inconsistent with Books and Records - Incorrect Crypto Amount, Correct Dollar Amount	IC	Claims are classified incorrectly or improperly
BR - B	Inconsistent with Books and Records - Incorrect Dollar Amount, Correct Crypto Amount	ID	Claims fail to specify the basis for claim or provide sufficient documentation
BR - C	Inconsistent with Books and Records - Incorrect Dollar and Crypto Amount	NL	Seeks recovery for amounts for which the Debtors are not liable
UL	Claims fail to specify the asserted claim amount or list 'unliquidated'	NDF	Non-debtor has satisfied the claim in full
AMD	Claim amended by subsequently filed proof of claim	L	Late filed claim after bar date
DUP	Duplicative claim	O	Other; see Notes for more information

Filed Claim					Surviving Claim					
Proof of Claim No.	Claimant Name	Date Filed	Filed Debtor Entity	Asserted Claim Amount	Basis for Objection	Surviving Claim No.	Estate - Debtor Entity	Estate - Surviving Claim Amount	Notes	Action ²
7233	VanTubergen Jr, John William	3/15/2023	BlockFi Lending LLC	\$10,000,000.00	BR-C, NL	7233	BlockFi Inc.	\$19.07	Surviving claim for BIA balance as no loans open at time of bankruptcy.	Modify